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UNCLAS SECTION 01 OF 02 LAGOS 000629

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STATE FOR AF/W
STATE FOR INR/AA
DOE FOR CAROLYN GAY

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TAGS: [PGOV](#) [PHUM](#) [KDEM](#) [NI](#)

SUBJECT: Struggles Over State Electoral Commissions Precede LGA Elections

11. (U) Summary: Elections in the 353 Local Government Area (LGA) Councils of Nigeria's 17 southern states are scheduled to be held in the last quarter of this year. Struggles continue over control of the State Electoral Commissions which handle the LGA electoral process. End Summary.

PDP Schedules LGC Elections in December

12. (U) LGA council elections are scheduled to be held nationwide before the end of this year. In June, the National Executive Council of the People's Democratic Party (PDP) directed all PDP controlled state governments to conduct LGC elections during the month of December. (Note: In 14 of the 17 states in the south, PDP controls both the Governorship and the State Assembly. Anambra and Imo States have non-PDP governors, but PDP controls the State Assemblies. In Lagos State, the Action Congress (AC) controls both the governorship and the House of Assembly. End Note.) In advance of the elections, tussles for control of the State Electoral Commissions that conduct the LGC elections are continuing. (Note: State governments are empowered by the constitution to conduct local council elections, to establish Electoral Commissions and to pass laws that regulate their affairs. States also determine the tenure of elected council officials. Electoral laws vary as to the term of office of State Electoral Commissions, and LGA council members. End Note.)

13. (U) Opposition parties and even members of losing PDP factions are concerned over control of the State Electoral Commissions. In Ogun State, an Action Congress (AC) member who aspires to the chairmanship of an LGC told Political Assistant he would likely withdraw from the race because he was certain the PDP dominated commission would manipulate the electoral process. In Rivers State, a PDP member of the House of Assembly who supported Rotimi Amaechi, winner of the PDP primary for Governor, complained that all five appointees for the commission are members of Governor Celestine Omehia's faction, and that the chairman pro tempore of the commission headed one of Governor Celestine Omehia's campaign teams during the April elections.

New Governor Fights to
Control State Electoral Commission

14. (U) In Edo State, Governor Lucky Igbinedion (PDP) appointed a State Electoral Commission headed by Justice Gabriel Okungbowa before he left office. However, his successor, Governor Oserheimen Osunbor (PDP) appointed a new commission, headed by Justice Anthony Okunega, shortly after taking office. In a May 30 ruling, an Edo

State High Court (court of first instance) declared unconstitutional the action of the House of Assembly directing Governor Osunbor to dissolve the Okungbowa Commission. The court went on to warn that any election conducted by any commission other than Okungbowa's would be null, void and of no effect. The Edo State Government has appealed the ruling. The Action Congress has gone to court to seek an injunction restraining Okunega from conducting election preparations, an Action Congress representative told Political Specialist.

APGA Awaits Departure of
Anambra Electoral Commission Chair

15. (U) In Anambra State, where Governor Peter Obi (All Peoples' Grand Alliance, APGA) was re-instated by the Supreme Court in early 2007 so he could carry out the remainder of his 4 year term, the State Electoral Commission, which began its four year term in 2004, plans to hold elections in November. Opposition parties claim the Chair of the Commission, Cornel Umeh, is a PDP loyalist, and would prefer to delay LGC Elections until after Umeh's term expires. Governor Peter Obi has not released funds for the November LGC election.

Opposition Walks Out of
Screening for Ondo Commissioners

16. (U) According to press reports, ten opposition members of the Ondo State Assembly walked out of a session screening nominees to the Ondo State Independent Electoral Commission (ODIEC), protesting that all members were drawn from the PDP. The Assembly's PDP

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majority approved the nominees. Reportedly, opposition parties including the Action Congress, Alliance for Democracy (AD), Democratic Peoples' Alliance (DPA), and Labour Party (LP) have formed an alliance to oppose LGA elections until after the election tribunals have decided all pending cases.

Lagos Plans Elections in Old and New LGAs

17. (U) In Lagos State, the tenure of the existing State Electoral Commission, composed of AC party members, has not yet expired, and seems likely to continue as constituted. The press reported AC Governor Babatunde Fashola had announced his decision to hold elections not only in the 20 constitutionally recognized LGAs but also in the 37 Local Council Development Centers (LCDCs) created by former Governor Bola Tinubu. (Note: In 2004, Governor Tinubu created 37 additional LGAs, but called them Local Council Development Centers following criticisms that their establishment violated the constitution. President Obasanjo withheld budgetary allocations meant for the 20 LGAs and vowed not to release them until the Lagos State Government dissolved the LCDCs. After a rigorous legal battle, the Supreme Court ruled in favor of Lagos State, saying that state governments have the constitutional power to legislate on LGAs, including the creation of additional councils. End Note.)

New Gov. Refuses to Recognize Early LGC Election

18. (U) In Oyo State, former Governor Rasheed Ladoja (PDP) held LGC Elections in the last days of his governorship. Current Governor Bayo Alao-Akala (PDP) refused to recognize the results of the LGC Election, and plans to hold Elections on December 15.

Comment

¶9. (U) Seats on Local Government Area Councils, to which the states pass funds intended for use in providing education, health and water services to local citizens, are much sought after as rewards for party loyalists and campaign supporters. State Election Commissions are key to gaining control of those LGA seats, and struggles over their membership are likely to continue. End Comment.

McConnell